

**FILED**

AO 91 (Rev. 08/09) Criminal Complaint

**JUN 19 2012****UNITED STATES DISTRICT COURT**

for the

District of Montana

PATRICK E. DUFFY, CLERK  
By  
DEPUTY CLERK, MISSOULA

United States of America )

v. )

XIAO MENG MA, and )  
LAN LUO )Case No. <sup>MT</sup>12- 2 -BU-JCL

Defendant(s)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 16, 2012 in the county of Gallatin in the  
State and District of Montana, the defendant(s) violated:*Code Section*

21 U.S.C. 841(a)(1)

*Offense Description*Possession with intent to distribute 100 or more kilograms of marijuana  
(mandatory minimum 5 years to 40 years imprisonment, \$5,000,000 fine, at  
least four years of supervised release, and a \$100 special assessment)

This criminal complaint is based on these facts:

See attached affidavit, incorporated by reference herein.


☒ Continued on the attached sheet.

Complainant's signature

Chris Randle, DEA Task Force Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/18/2012City and state: Missoula, MT

Judge's signature

Jeremiah C. Lynch, U.S. Magistrate Judge

Printed name and title

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**AFFIDAVIT IN SUPORT OF CRIMINAL COMPLAINTS  
AND ARREST WARRANTS**

I, Chris Randle, being duly sworn, hereby depose and state:

1. I am a Task Force Officer with the Drug Enforcement Administration (“DEA”) currently assigned to the Missouri River Drug Task Force in Bozeman, Montana. I have been employed as a law enforcement officer for over 18 years and have worked with the drug task force in Bozeman for the past 4 1/2 years. During that time, I have worked on multiple investigations into violations of state and federal drug laws, including cases involving the illegal possession and transportation of marijuana from one state to another for eventual distribution.
2. This affidavit is based on my personal knowledge of this investigation and on information provided to me by other law enforcement officials.
3. This affidavit is provided in support of a criminal complaint and arrest warrants for XIAO MENG MA and LAN LUO. Based on the following information, I have probable cause to believe that on or about June 16, 2012, in Gallatin County, Montana, MA and LUO did knowingly possess with the intent to distribute 100 or more kilograms of marijuana in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B).
4. On June 16, 2012, at approximately 2328 hours, Montana Highway Patrol Trooper Dan Amundson stopped a black Chrysler van for speeding in a construction zone on Interstate 90 near mile marker 308.

The van was traveling 51 mph in a 35 mph construction zone. XIAO

MENG MA was the driver of the van and LAN LUO was the passenger.

Both women were identified by valid California driver's licenses.

5. During the course of his traffic stop, Trooper Amundson realized that both MA and LUO spoke Chinese. MA also spoke English quite well; LUO appeared able to speak only Chinese.
6. Trooper Amundson realized that the van was a rental vehicle and learned from MA that LUO had rented the van.
7. MA told Trooper Amundson that LUO was moving from Washington State to New York and MA was traveling with her. During his conversation with MA, Trooper Amundson smelled a faint odor of marijuana coming from inside the van and observed several large duffle bags in the rear of the van. He reported that the bags appeared to be full and their shapes were even and blocky, which he felt was not consistent with the appearance of clothing. When the glove compartment was opened to obtain the rental agreement, Trooper Amundson saw a large sum of cash.
8. Trooper Amundson issued MA a citation for speeding, told her she was free to go, and then asked her some additional questions. He asked MA if she was responsible for everything in the van. MA said her only property was a small bag and her purse. MA said the large duffel bags

belonged to LUO. Trooper Amundson asked MA for consent to search the van and her luggage. MA gave verbal and written consent to Trooper Amundson to search the van and MA's luggage.

9. Montana Highway Patrol Trooper Erick Fetterhoff arrived at the scene to assist Trooper Amundson. Based on the fact that LUO did not appear able to speak English, Trooper Fetterhoff used a translator program on his I-phone to communicate with LUO. LUO said that the bags in the back of the van belonged to her. Trooper Fetterhoff then used his I-phone to ask LUO for consent to search the vehicle. MA also read LUO the Montana Highway Patrol written consent waiver. LUO gave verbal and written consent to search the vehicle.
10. Trooper Fetterhoff stayed with MA and LUO while Trooper Amundson searched the van. Trooper Amundson found 6 large duffel-type bags on the floor of the van. Each bag was filled with several large, vacuum-sealed bags of marijuana, for a total of 200 bags. At no time did MA or LUO speak to Trooper Fetterhoff about rescinding consent. Trooper Amundson seized the marijuana and placed MA and LUO into custody. MA, LUO and the marijuana were transported to the Law and Justice Center in Bozeman, Montana.
11. Trooper Amundson contacted me prior to leaving the scene. I met them at the Law and Justice Center. I made contact with Group

Supervisor Luis Burgos of the DEA in Washington, DC. Burgos agreed to translate in Chinese during interviews with MA and LUO.

12. Burgos first spoke to MA, who wanted the interview conducted in Chinese. MA said that she came to the United States in 2005 and attended four years of high school in Anaheim, California. Burgos read MA her Miranda warnings in Chinese. MA invoked her rights and the interviewed was terminated.
13. Burgos then spoke to LUO. Her interview was also conducted in Chinese. Burgos read LUO her Miranda warnings in Chinese. LUO stated she understood her rights and answered questions. LUO stated the following: (a) she arrived in the United States in 2010 (b) MA asked her to rent the van, because MA said she was too young to do so (c) MA was moving to New York and LUO was traveling with her; and (d) LUO brought the van to MA, MA left in the van by herself and then returned and she and LUO began traveling to New York. LUO also said that she understood Trooper Fetterhoff when he asked for consent to search the vehicle and understood MA when MA read the written consent form to LUO. LUO said she understood that she was being asked for permission to search the van and the bags. LUO then invoked her rights and the interviewed ended.
14. I weighed the 200 vacuum-sealed bags of marijuana and found

them to have a total approximate weight of 253 lbs (115 kg). I also conducted a presumptive test on a sample taken from one of the bags. This test showed positive results for marijuana.

15. Based on the foregoing facts, there is probable cause to believe that on or about June 16, 2012, in Gallatin County, in the State and District of Montana, the defendants, XIAO MENG MA and LAN LUO, knowingly and unlawfully possessed, with the intent to distribute 100 kilograms or more of a mixture or substance containing a detectible amount of marijuana, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B).

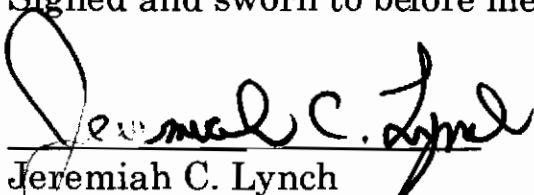
FURTHER AFFIANT SAYETH NOT.



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Chris Randle  
DEA Task Force Officer

Signed and sworn to before me this 18th day of June, 2012.



Jeremiah C. Lynch  
United States Magistrate Judge